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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,734	01/22/2001	Thomas Mikalsen	YOR9-2000-0680US1(8728-45	1301

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EXAMINER	
NGUYEN, VAN H	
ART UNIT	**PAPER NUMBER**
2126	4

DATE MAILED: 12/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/766,734	MIKALSEN ET AL.	
	Examiner	Art Unit	
	VAN H NGUYEN	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 January 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☒ Claim(s) *1-49* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This Office Action is in response to the application filed January 22, 2001. Claims 1-49 are presented for examination.

Claim Rejections - 35 USC § 112

2. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention because:

- The meaning of "*the group is one of at least two messaging operations, and at least one messaging operation and at least one transactional operation*" (claim 1, lines 2-4) is not clear. Does Applicant intend to mean – *the group is one of at least two messaging operations, **or** at least one messaging operation and at least one transactional operation* --?

The art rejection of claims 1-16 is applied as best understood in light of the rejection under 35 U.S.C. 112, second paragraph discussed above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lamping et al.** (U.S.5,822,593) in view of **Bowman-Amuah** (U.S.6,640,244 B1).

As to claim 1, Lamping teaches a method for grouping at least two diverse operations (*the first and second operations are combined*; abstract), comprising the steps of:

- initiating a context grouping the operations (*sequencings of subcomputations of the first and second operations...carrying out the subcomputations of the first and second operations in accordance with the constraints*; col.3, lines 9-15);

- performing the operations within the context, each operation resulting in an outcome; combining the outcomes (*the first and second operations are combined in the overall computation...a computational loop including a fusion of the first and second loops*; col.2, line 52-col.3, line 30);

- determining an overall outcome based on a combination of the outcomes for each operation; and taking at least one action dependent on the overall outcome (*col.6, lines 10-22 and col.8, lines 27-51*).

Lamping does teach grouping operations, but is silent on "the group is one of at least two messaging operations, or at least one messaging operation and at least one transactional operation."

Bowman-Amuah teaches the group is one of at least two messaging operations, or at least one messaging operation and at least one transactional operation (col.2, lines 16-36).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing the requests and reducing network traffic.

As to claim 2, Lamping teaches terminating the context upon taking the action (col. 9, lines 21-41).

As to claim 3, Lamping teaches each operation is supported by an object (col.6, lines 7, lines 6-38).

As to claim 4, Lamping does not explicitly teach the outcome of each messaging operation is independent of other messaging operation outcomes.

Bowman-Amuah teaches the outcome of each messaging operation is independent of other messaging operation outcomes (fig. 65).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing the messages and reducing network traffic.

As to claim 5, Lamping does not explicitly teach the outcome of a messaging operation is independent of a transactional operation outcome.

Bowman-Amuah teaches the outcome of a messaging operation is independent of a transactional operation outcome (figs. 182-185).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it

would have provided the capability for efficiently managing the messages and reducing network traffic.

As to claim 6, Lamping does not explicitly teach an operation is one of a synchronous invocation on a transactional resource and a conditional asynchronous message between at least two messaging components.

Bowman-Amuah teaches an operation is one of a synchronous invocation on a transactional resource and a conditional asynchronous message between at least two messaging components (figs. 182-185).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing the messages and reducing network traffic.

As to claim 7, Lamping does not explicitly teach the synchronous invocation occurs in at least one transaction.

Bowman-Amuah teaches the synchronous invocation occurs in at least one transaction (figs. 187-190).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing the messages and reducing network traffic.

As to claim 8, Lamping does not explicitly teach the asynchronous message results in an outcome, the outcome defined by a condition associated to a corresponding operation.

Bowman-Amuah teaches the asynchronous message results in an outcome, the outcome defined by a condition associated to a corresponding operation (figs. 187-190).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing the messages and reducing network traffic.

As to claim 9, Lamping does not explicitly teach grouping the synchronous invocation in the transaction and the conditional asynchronous message.

Bowman-Amuah teaches grouping the synchronous invocation in the transaction and the conditional asynchronous message (fig. 185).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing business objects.

As to claim 10, Lamping teaches interpreting each outcome as one of a success and a failure (col.20, lines 30-67).

As to claim 11, Lamping teaches interpreting the overall group outcome as one of a success and a failure (col.20, lines 30-67).

As to claim 12, Lamping teaches evaluating the overall group outcome as a failure if at least one individual operation is interpreted as a failure (col.20, lines 30-67).

As to claim 13, Lamping teaches the action is one of a predefined action, an automatically invoked action, and a performed action (abstract).

As to claim 14, Lamping teaches the action taken upon determining the overall outcome to be a failure further comprises the step of undoing an operation (col.6, lines 10-22 ; col.8, lines 27-51; and col.20, lines 30-67).

As to claim 15, Lamping teaches the action taken upon determining the overall outcome to be a failure further comprises the step of compensating for an operation (col.20, lines 30-67).

Claim 16 is directed to a program storage device for implementing the method of claim 1, and is similarly rejected under the same rationale.

As to claim 17, refer to claim 2 above for rejection.

As to claim 18, Lamping teaches creating a representation of the context according to a defined data structure; and filling the representation with values that; identify the group context (col.19, lines 27-63).

As to claim 19, refer to claim 3 above for rejection.

As to claim 20, Lamping does not explicitly teach the object is one of a transactional resource and a messaging component.

Bowman-Amuah teaches the object is one of a transactional resource and a messaging component (figs. 187-190).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing the messages and reducing network traffic.

As to claim 21, Lamping does not explicitly teach an operation is one of a synchronous invocation on a transactional resource and an asynchronous message between two or more messaging components.

Bowman-Amuah teaches an operation is one of a synchronous invocation on a transactional resource and an asynchronous message between two or more messaging components (figs. 187-190).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing the messages and reducing network traffic.

As to claim 22, Lamping does not explicitly teach the synchronous invocation occurs in at least one transaction.

Bowman-Amuah teaches the synchronous invocation occurs in at least one transaction (figs. 183-184).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing the messages and reducing network traffic.

As to claim 23, Lamping does not explicitly teach the asynchronous message results in an outcome, the outcome defined by a condition associated a corresponding operation.

Bowman-Amuah teaches the asynchronous message results in an outcome, the outcome defined by a condition associated a corresponding operation (figs. 183-184).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing the messages and reducing network traffic.

As to claim 24, Lamping does not explicitly teach grouping the synchronous invocation in the transaction and the conditional message.

Bowman-Amuah teaches grouping the synchronous invocation in the transaction and the conditional message (fig. 185).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently managing the messages and reducing network traffic.

As to claims 25-30, refer to claims 10-15 above for rejection.

As to claims 31-32, refer to claims 4-5 above for rejection.

Claim 33 includes the same subject matter as in claim 1, and is similarly rejected under the same rationale.

As to claim 34, refer to claim 2 above for rejection.

As to claim 35, refer to claim 18 above for rejection.

As to claims 36-42, refer to claims 6-12 above for rejection.

As to claim 43, Lamping does not explicitly teach the action is one of a commit, a rollback, and a compensation.

Bowman-Amuah teaches the action is one of a commit, a rollback, and a compensation (fig. 178).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently maintaining the integrity of the database system.

As to claim 44, Lamping does not explicitly teach the action is one of an update, a delete, a make-table, and an append.

Bowman-Amuah teaches the action is one of an update, a delete, a make-table, and an append (col.2, lines 16-36).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman-Amuah with Lamping because it would have provided the capability for efficiently maintaining the integrity of the database system.

As to claims 45-46, refer to claims 14-15 above for rejection.

As to claim 47, Lamping teaches managing the group includes one of achieving a defined property of the software system and preserving a defined property of the software system (col.19, lines 27-63).

As to claims 48-49, refer to claims 4-5 above for rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Nagaoka et al.	US 6574656	issued date: 06/2003
- Funk et al.	US 6493715	issued date: 12/2002
- Fouquet	US 6272515	issued date: 08/2001
- Friedman et al.	US 6167455	issued date: 12/2000
- Hao et al.	US 5742778	issued date: 04/1998

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-5971. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.

Any response to this action should be mailed to:
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

or fax to:
(703) 746-7239 (for formal communications intended for entry)
(703) 746-7238 (for After Final communications)
(703) 746-7240 (for informal or draft communications)

VHN
November 29, 2003

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